

RETURN
OF
RECOMMENDATIONS OF THE
ROYAL COMMISSION
IN REGARD TO THE
TREATMENT OF PRISONERS
BY
IRISH PRISONS;
WITH
OBSERVATIONS
OF THE
GENERAL PRISONS BOARD.

6th March, 1889.

Presented to both Houses of Parliament by Command of Her Majesty.



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RETURN

CONTAINING

RECOMMENDATIONS OF THE ROYAL COMMISSION

WITH REGARD TO THE

TREATMENT OF PRISONERS IN IRISH PRISONS, &c.

I.—RECOMMENDATIONS PRINCIPALLY AFFECTING LOCAL PRISONS.

Page.	Recommendation.	Action taken and Remarks.
13 23	Consolidation of Prisons, as tending to improve the discipline, promote the reformation, and provide for the legitimate wants of prisoners.	Since the Royal Commission, the General Prisons Board have closed the large Prisons at Maze (31-1-86) and Richmond (31-3-85), have reduced the large Prisons at Mullingar (31-1-86) and Omagh (31-7-86) to the rank of Minor Prisons, closed 9 Minor Prisons (31-7-86) and 13 Bridewells altogether (1885 & 1886), and closed Chancel as a female prison (31-7-86).
33	Appointment of a medical gentleman to be a member of the General Prisons Board.	This has been done (April, 1887.)
66	"The question has been raised before us, whether, in those cases of deaths in prison in which the Coroner thinks it necessary that there should be a post-mortem examination, an independent medical officer should be called in to conduct or assist in such examination in all cases, or whether it should be left to the discretion of the Coroner, as at present, to summon him in such cases only as he may think fit. . . . According to the English practice, Governors are requested . . . to inquire of the Coroner whether a post-mortem examination is to be made, and if he should reply in the affirmative, to inform him that the Secretary of State wishes such examination to be made by a medical practitioner not connected with the prison service, and to request him to give the necessary instructions to the person he may select to perform that duty, and we quite approve of a similar course being followed in Ireland."	<p>Copies of Circulars (Nos. 263 and 268), showing the rule laid down in 1855, and still in force, annexed:—</p> <p style="text-align: right;">General Prisons Board, Dublin Castle, 26th September, 1883.</p> <p>Circular No. 263. 18,500.</p> <p style="text-align: center;">POST-MORTEM EXAMINATIONS IN PRISONS.</p> <p>Sir,—I am directed by the General Prisons Board to acquaint you that in the case of an inquest being held as to the cause of death of an inmate of a prison, it is the desire of His Excellency the Lord Lieutenant that in the event of a post-mortem examination being ordered by the Coroner, such examination shall not be held by the Medical Officer of the prison, but by an independent medical authority.</p> <p style="text-align: right;">I AM, &c., RICHARD CROOK, Chief Clerk.</p> <p>The Governor of each Convict and Local Prison.</p> <p style="text-align: right;">General Prisons Board, Dublin Castle, 31st December, 1883.</p> <p>Circular No. 268. 18,250/83.</p> <p>Sir,—I am directed by the General Prisons Board to inform you that the Order of the Lord Lieutenant, communicated to you by Circular No. 263, of the 26th September last, as to post-mortem examinations in prisons, does not refer to inquests held on persons executed in due course of law, but only to those held on prisoners whose deaths occur in the usual course in prison.</p> <p style="text-align: right;">I AM, &c., RICHARD CROOK, Chief Clerk.</p> <p>The Governor of each Convict and Local Prison.</p>

L—Recommendations principally affecting Local Prisons—continued.

Para.	Recommendation.	Action taken and Remarks.
78	"We are of opinion that much more care and attention should be paid in observing the condition, mental and physical, of prisoners on and in the early days after admission, and in maintaining special observation of them for some time. Special care also requires to be given to any bandits who may be confined on remand or for trial . . . We recommend that every possible means should be taken to reduce the term during which they remain in prison to a minimum."	Circular (No. 295) issued, 5th December, 1884. (Copy below). General Prison Board, Dublin Castle, 5th December, 1884. Circular No. 296—14, 107. MEDICAL EXAMINATION OF PRISONERS ON RECEIPTION. SIR,—In accordance with the recommendation contained in the Report of the Royal Commission on Irish Prisons, the Lord Lieutenant has directed that the utmost care must be taken to secure the careful examination of all prisoners on reception, and their continued observation afterwards, with the view of discovering any traces of incipient disease, either mental or bodily. Should any such case arise the particulars should be at once reported to the Board. Please to call the Medical Officer's special attention to these directions, and furnish him with the accompanying copy of this Circular for his guidance. I am, Sir, RICHARD CURRIG, Chief Clerk. The Governor, H. M. Prison.
79	"All such cases" (as prisoners who have injured their constitutions and first convictions "who are apt to feel acutely the depressing conditions of prison life"), "should be very carefully watched in their earlier stages, and serious illness, and necessity for removal to hospital if possible prevented."	Consultations with external medical gentlemen have been frequently obtained on critical cases, both of lunatic and ordinary prisoners.
80	"In any case in which the Medical Officer thinks that there is any suspicion of incipient disease, bodily or mental, especially the latter, the prisoner should be removed to hospital or placed where he can be specially and frequently observed by the Medical Officer and others so long as the Medical Officer may think necessary." "We would recommend that where proper reception wards do not already exist, they should be provided for the detention of prisoners until duly inspected by the Medical Officer—a duty in our opinion of great importance, and one that should not be hurriedly performed."	The prevention of removing prisoners to hospital, when necessary, is strictly observed, in accordance with a rule framed in 1878. Reception wards were always provided, but since the Royal Commission, the attention of Medical Officers has been specially directed to the examination of prisoners on reception. (See Circular No. 296, dated 5th December, 1884, above).
81	It would be also advantageous to have in every Prison a certain amount of accommodation for prisoners in association under perfect supervision, so that the Medical Officer should not be compelled to keep in separate cells prisoners, who, for medical reasons, may require to be in association. "We think that there should be in every prison hospital accommodation, atmospherically independent of the cell buildings, for prisoners both in association and separation, so conveniently situated that, while sufficient attention can be paid to the patients, the whole time of an officer need not be taken up in attending to on an two ordinary cases of illness."	The practice of the Medical Officers is in keeping with this recommendation, and accommodation is accordingly provided. The separation of prison hospitals from other buildings, is, in the opinion of the Medical Officers, sufficient, as is proved by experience.
82	(In the case of prisoners kept in custody for a long time, awaiting trial). "We strongly recommend that a considerable relaxation should be allowed (at least after the first three months), in the Rules in respect of diet and exercise."	Circular (No. 311) issued 15th February, 1885.—New Rule made 15th March, 1885.—(Copies below). No. 311. 15th February, 1885. THIRTY MONTHS' PRISONERS AWAITING TRIAL. In the event of there being on any day in the gaol under your charge any prisoners awaiting trial, who have been in

I.—Recommendations principally affecting Local Prisons—continued.

Para.	Recommendation.	Action taken and Remarks.
		<p>custody three months, the General Prisons Board desire that you will submit the names of such prisoners to this office, together with a report from the Medical Officer as to what relaxations in dietary and hours of exercise in the open air he considers requisite to be granted in each such case.</p> <p>By order, RICHARD CLEGG, Chief Clerk. (RULE.)</p> <p>Such prisoners, if detained in custody awaiting trial for more than three months, are to be granted such relaxations as to dietary and hours of exercise in the open air as may be considered requisite by the Medical Officer, subject to the approval of the Board.</p> <p>Circular (No. 291) issued, 5th December, 1884. (Copy below). General Prisons Board, Dublin Castle, 24th December, 1884.</p> <p>Circular No. 291.—14,187.</p> <p>EXERCISE OF UNTRIED PRISONERS.</p> <p>SIR,—I am directed by the General Prisons Board to inform you that it is the desire of His Excellency the Lord Lieutenant that in every case, where, owing to the inclemency of the weather at the appointed hours, it is found impossible to afford to untried prisoners the amount of out-door exercise allowed to this class of prisoners they shall be exercised under cover, if possible, and if not, arrangements are to be made, where such is possible, for the giving of out-door exercise at other hours during the same day.</p> <p>I am, &c., RICHARD CLEGG, Chief Clerk. The Governor, H. M. Prison.</p> <p>New Rule made 15th March, 1885.—(Copy below).—</p> <p>The Governor shall, subject to the approval of the Visiting Committee, permit any such prisoner to smoke while at exercise in the open air, provided he is satisfied that he has been in the habit of smoking previous to committal.</p>
83	<p>"In all cases where the "(untried)," prisoners can be exercised under cover in inclement weather, advantage should be taken of the covered space," otherwise "when it rains at the hours appointed for exercise, arrangements should be made for exercise at other hours during the same day in all cases where it is possible."</p>	<p>"The majority of us are of opinion that some provision should be made, at all events, if recommended by the Medical Officer or the Visiting Committee, in the case of those untried prisoners who have been in the habit of smoking, so that they might be allowed, under proper regulations, to smoke while at exercise in the open air, and we are all of opinion that such indulgence should be granted to prisoners detained under remand for a period exceeding three months."</p>
85	<p>"We think that the Board might make some modification of their order under which the cell lights are put out at 8 o'clock, so that an untried prisoner, if he gave any satisfactory reason for wishing to do so, might continue to read or write until the final locking up of the prison."</p>	<p>New Rule made 15th March, 1885.—(Copy below).</p> <p>The Governor shall permit the light to remain burning in the cell of any such prisoner, to enable the prisoner to continue to read or write, or to work and follow his trade, until the final locking-up of the prison, provided any reasonable or satisfactory ground exists for the allowance of such privilege. The Governor to report to the Board and to the Visiting Committee for their approval all cases in which he grants this privilege.</p>
86	<p>"We think that care should always be taken to inform an untried prisoner, on his admission, that a library book will be supplied to him, should he desire it."</p>	<p>Circular (No. 292) issued, 5th December, 1884. New Rule made, 13th March, 1885. (Copy of such attached). General Prisons Board, Dublin Castle, 24th December, 1884.</p> <p>Circular No. 292.—14,187.</p> <p>UNTRIED PRISONERS MAY HAVE LIBRARY BOOKS.</p> <p>SIR,—I am directed by the General Prisons Board to request that you will have such untried prisoners as are committal informed that if he so desires he may have the use of books from the library provided for prisoners.</p> <p>I am, &c., RICHARD CLEGG, Chief Clerk. The Governor of such Local Prison. (RULE.)</p> <p>The Governor shall, on the application of any such prisoner, allow him the use from time to time, of library books provided for the use of prisoners.</p>

1.—Recommendations principally affecting *Local Prisons*—continued.

Para.	Recommendation.	Action taken and Remarks.
87	<p>"Every prisoner ought to be fully informed of all prison offences, and of the scale of punishments to which he is liable, and also to have a full statement of all the privileges to which he is entitled, and of his rights regarding appeal. We think that all such necessary information should be clearly and shortly set forth on a printed statement, in large and legible characters, hung up in each cell, and fully explained, as at present, to those prisoners who are unable to read."</p>	<p>In addition to the information already hung up in the cell of every convicted criminal prisoner (which contained a statement both of prison offences and punishments) a circular was issued on 25th April, 1885—a copy of which is attached—with a further statement similar to that in English Prisons:—</p> <p style="text-align: right;">25th April, 1885.</p> <p style="text-align: center;">To Governors of Prisons.</p> <p>By direction of the Prisons Board one of the attached broad-sheets is to be hung up in the cell of each convicted criminal prisoner.</p> <p>Please state on opposite margin how many copies of it you will require for the prison under your charge.</p> <p style="text-align: right;">R. CROOK, Chief Clerk.</p> <p style="text-align: center;">ABSTRACT OF THE REGULATIONS RELATIVE TO THE TREATMENT AND CONDUCT OF CONVICTED CRIMINAL PRISONERS.</p> <ol style="list-style-type: none"> 1. Prisoners shall preserve silence. 2. They shall not communicate, or attempt to do so, with one another, or with any strangers or others who may visit the prison. 3. They shall obey such regulations as regards washing, bathing, and, in the case of male prisoners, hair-cutting and beard clipping, as may from time to time be established, with a view to the proper maintenance of health and cleanliness. 4. They shall keep their cells, utensils, clothing, and bedding, clean and neatly arranged; and shall, when required, clean and sweep the yards, passages, and other parts of the prison. 5. If any prisoner has any complaint to make regarding the diet, it must be made immediately after a meal is served. Privileges and groundless complaints, repeatedly made, will be dealt with as a breach of prison discipline. 6. A prisoner may, if required for purposes of justice, be photographed on reception and subsequently. 7. Gratuities granted to prisoners may be paid to them through a Prisoners' Aid Society, or in such way as the Prisons Board may direct. 8. Prisoners shall attend Divine Service on Sundays and on other days when such service is performed, unless they receive permission to be absent. Prisoners shall not be compelled to attend the religious service of a Church to which they do not belong. 9. The following offences committed by prisoners will render them liable to punishment:— <ol style="list-style-type: none"> 1. Disobedience of the regulations of the prison. 2. Common assault. 3. Profane cursing and swearing. 4. Indecent behaviour. 5. Inverecant behaviour at chapel. 6. Insulting and threatening language to any officer or prisoner. 7. Absence from chapel without leave. 8. Idleness or negligence at work. 9. Wild mismanagement of work. 10. Prisoners may, if they desire, have an interview with the Governor or superior authority, viz.:—The visiting Member of the Board or the Inspector, to make complaints or prefer requests; and the Governor shall redress any grievances, or take such steps as may seem necessary. 11. Any prisoner wishing to see a member of the Visiting Committee shall be allowed to do so on the occasion of his next occurring visit to the prison. 12. Any prisoner desiring to do so may appeal, in writing, to the Lord Lieutenant, or to the General Prisons Board, as to his treatment in prison, or other matters affecting himself. <p style="text-align: right;">By order of the General Prisons Board, RICHARD CROOK, Chief Clerk.</p> <p>15th April, 1885.</p>

I.—Recommendations principally affecting Local Prisons—continued.

Para.	Recommendations.	Action taken and Remarks.
90	<p>"We have come to the conclusion that prisoners should not be kept on the dietary in Class I. for a longer period than three days, and that the dietary in Class II. should be improved by the addition of two pints of milk daily, that is to say, three quarters of a pint at breakfast, three quarters of a pint at dinner, and half a pint at supper."</p>	<p>A new dietary for local prisoners, amended in accordance with the recommendation of the Royal Commission, was introduced in June, 1855, and continues in use, except that, since February, 1857, an additional quantity of bread has been given to the prisoners at dinner on three days in the week, instead of the additional milk, which was found to form an undesirable compound with the soup which is given at dinner on those days.</p>
91	<p>"In view of an allegation that prisoners were sometimes discharged unfit for work on account of the insufficiency of the diet in some of the latter stages . . . we observe that the Prison Commissioners in England . . . gave directions that prisoners should be specially examined by the Medical Officer a sufficient time (twenty-one days) before discharge, so that he might then recommend their being placed on a higher dietary if . . . necessary. Although the dietary in Ireland is different in these stages, we think that directions might well be given to the Medical Officers to the same effect as . . . in England."</p>	<p>Circular (No. 292) issued, 5th December, 1854. (Copy attached.) General Prisons Board, Dublin Castle, 5th December, 1854. Circular No. 292.—16,167.</p> <p>LONG SUFFERING PRISONERS TO BE EXAMINED BY MEDICAL OFFICERS TWENTY-ONE DAYS PREVIOUS TO DISCHARGE.</p> <p>Sir,—I am directed by the General Prisons Board to request that you will inform the Medical Officer of the prison under your charge that it is the desire of the Lord Lieutenant's diet, with a view of preventing prisoners who have undergone long terms of imprisonment being discharged unfit to work, on account of insufficiency of the diet in some of the latter stages, the Medical Officers of prisons shall examine such prisoners twenty-one days before discharge, so that he may, if he deems it necessary, place such prisoners on a higher dietary than that they have been receiving.</p> <p>Please hand a copy of this circular to the Medical Officer.</p> <p>I am, &c., RICHARD CLEGG, Chief Clerk. The Governor, H.M. Prison.</p>
92	<p>"By the Irish rules, whenever the Surgeon considers a prisoner's life to be in immediate danger by further confinement he is at once to report the fact . . . the words 'immediate danger,' seem to place too great a restraint and too powerfully to fetter the action of the Medical Officers. Under the English Rules the Surgeon is to report to the Governor the case of any prisoner to which he may think it necessary, on medical grounds, to draw attention, and whenever he shall be of opinion that the life of any prisoner is endangered by his continuance in prison, he is to state such opinion, and the grounds thereof in writing. We would strongly recommend the substitution of the English rule for the present Irish rule."</p>	<p>Circular (No. 293) issued, 5th December, 1854. New Rule made, 13th March, 1855. (Copy of each attached.) General Prisons Board, Dublin Castle, 5th December, 1854. Circular No. 293.—16,167.</p> <p>MEDICAL CERTIFICATES IN CASES OF PRISONERS WHOSE LIVES ARE IN DANGER BY FURTHER CONFINEMENT.</p> <p>Sir,—I am directed to request that you will inform the Medical Officer of the prison under your charge, that His Excellency the Lord Lieutenant has expressed his approval, as recommended by the Royal Commissioners for Inquiry into Irish Prisons, of the omission of the word "immediate" from the forms for submitting reports, as directed by Rule 14, for Surgeons of Local Prisons, in the cases of prisoners whose lives they consider to be endangered by further confinement, and that the General Prisons Board have directed the issue of amended forms for use by the Medical Officer for this purpose in the future.</p> <p>A copy of this Circular for the use of the Medical Officer is enclosed.</p> <p>I am, &c., RICHARD CLEGG, Chief Clerk. The Governor of each Prison.</p> <p>(RCLA.)</p> <p>The Surgeon shall, whenever he considers a prisoner's life to be in danger by further confinement, at once report the fact to the Under Secretary for the Lord Lieutenant's information, and also to the General Prisons Board, and to the Governor, and he is also to report to the Governor the case of any prisoner to which he may think it necessary, on medical grounds, to draw attention.</p>

L.—Recommendations principally affecting Local Prisons—continued.

Para.	Recommendation.	Action taken and Remarks.
98	<p>"We must prefer the means of restraint in use in England, which we have inspected, and recommend that they should be adopted in place of those in use in the Irish prisons."</p>	<p>The means of mechanical restraint used in Irish local prisons are :— Handcuffs and leather straps and muffs. In convict prisons :— Handcuffs (padded with leather). Leather straps and muffs, strait waistcoat. Chaise (fastened to ankle and wrist and weighing not more than five lbs.—for males only). The use of chains is confined to male convicts; they are, therefore, not used in local prisons, and, as will be seen in the remarks on paragraph 113, they are now very seldom used in convict prisons either. The means of restraint in use in English convict and local prisons are :— Handcuffs, and loose canvas restraint jacket. Leg chains or cross irons. Body belt, light steel connecting chains (for } For prisoners on removal). } males Ankle straps—for females only. } only. In the opinion of the Board the means of restraint in use in Irish Prisons are preferable to those in use in England, and continue to give satisfaction, both in regard to their deterrent effect, and also from a humane and sanitary point of view.</p>
	<p>"Under a Circular, all prisoners under mechanical restraint are to be visited during the night by the officer on duty. We think this is a most necessary precaution, and requires to be fully carried out, both in letter and spirit, the prisoner being powerless to help himself in any way, or even to ring his bell. . . . We cannot too strongly express our opinion as to the absolute necessity for constant supervision of such prisoners, both by day and by night."</p>	<p>Circular (No. 294) issued, 8th December, 1884. New Rules made, 13th March, 1885. (Copy of each below.) General Prisons Board, Dublin Castle, 4th December, 1884. Circular No. 294.—16,167. VISITS TO PRISONERS UNDER RESTRAINT. Sir,—I am directed by the General Prisons Board to call your special attention to the directions in Section L. of the instructions issued with Circular No. 183, as to visits during the night to prisoners under restraint, in order that they may be strictly carried out in every case. The same rule to be observed by day. I am also to request that you will report whether, in compliance with Rule No. 1, for Surgeons of local prisons, the Medical Officer of the prison under your charge visits daily each prisoner, as the Board are of opinion that such prisoners should be treated in this respect as if under punishment. I am, &c., EDWARD CLARKE, Chief Clerk. To the Governor, H. M. Prison.</p>
	<p>"We also think that the Governor should invariably and at once call the attention of the Medical Officer to the case of any prisoner put under restraint, and that the Medical Officer should visit him at least once a day."</p>	<p>(Rules). The Surgeon shall visit the prison once each day and not later than 12 o'clock, noon, and oftener if necessary, and shall see every prisoner in the course of the week. He shall daily visit the prisoners, if any, confined in punishment cells or under punishment in their own cells, or under mechanical restraint, and he shall visit daily, and oftener if necessary, such of the prisoners as are sick, and, when necessary, shall direct any prisoner to be removed to the infirmary.</p>
	<p>"We think that, subject to the advice of the Superintending Medical Officer, he (the Medical Officer), ought to be left free to use such medical appliances in the case of violent patients in hospital as he may think fit," &c.</p>	<p>That no iron or means of mechanical restraint shall be used excepting such as are approved by the Lord Lieutenant, or such as may be considered necessary by the Medical Officer to be used as medical appliances in the case of violent prisoners in hospital.</p>
	<p>"We recommend that there should be a padded cell in every prison for males, and another for females, so situated as to render constant supervision may both by the officers of the prison and the Medical Officer."</p>	<p>Instructions for the provision of padded cells in every prison were issued to the Board's architect on the 24th December, 1884. The construction of such cells has now been completed, except in Waterford Prison, where padded cells are being improved on the original.</p>
	<p>"It has been stated that the Governor has to report every case under restraint to the Board daily; and we think that, in addition to this, all cases where mechanical restraint is used should appear in the annual Report."</p>	<p>A return of cases of mechanical restraint was accordingly printed with the Board's Report for the year 1884-5, and a similar return with each subsequent annual Report.</p>

I.—Recommendations principally affecting *Local Prisons*—continued.

Para.	Recommendation	Action taken and Remarks.
94	<p>"We need scarcely say that in every prison there should be canvas suits ready for use by prisoners who may destroy their own clothing."</p> <p>"We recommend that, except for any special case, where, on medical grounds, it is considered absolutely necessary by the Medical Officer that they should be employed, the use of absolutely dark cells should be everywhere abolished."</p>	<p>Canvas suits already provided. See Circular Memo. of 17/3/83—copy attached.</p> <p>General Prisons Board, Dublin Castle, 17th March, 1883.</p> <p>Instructions have been given to the Governor of Mountjoy Prison to supply each with two canvas suits, to be kept in stock, for issue to prisoners who may wilfully destroy their own private clothing, while in custody. Two of these suits should always be kept in stock.</p> <p>Please also note that a similar suit has been supplied to each Minor Prison and Bridewell under your charge, with similar instructions to the above.</p> <p>Circular (No. 295) issued, 5th December, 1884. (Copy attached.)</p> <p>General Prisons Board, Dublin Castle, 2th December, 1884.</p> <p>Circular No. 295.—15,157.</p> <p>DARK CELLS.</p> <p>SIR.—I am directed by the General Prisons Board to state for your information and guidance that the Lord Lieutenant has notified his approval of the recommendation of the Royal Commission for Enquiry into the Irish Prisons.</p> <p>That except for any special case where it is considered by the Medical Officer as absolutely necessary, dark cells for the punishment of prisoners shall be everywhere disused.</p> <p>You will please bring this decision of His Excellency under the notice of the Medical Officer, and hand him a copy of this Circular.</p> <p>I am, &c., RICHARD CRESSO, Chief Clerk.</p> <p>The Governors of H. M. Prisons.</p>
95	<p>"It is clear that where repetition of the punishment" (i.e., bread and water) "is thought necessary by the authorities, some short interval should be allowed to elapse between each term."</p> <p>"We do not think that dietary punishment to the full extent to which it may be inflicted should ever be immediately repeated without a special report from the Medical Officer in addition to the certificate which, we are glad to see, he is now required to give."</p>	<p>Circular (No. 301) issued, 24th December, 1884. (Copy attached.)</p> <p>General Prisons Board, Dublin Castle, 24th December, 1884.</p> <p>Circular 301.—15,157.</p> <p>BREAD-AND-WATER PUNISHMENT.</p> <p>SIR.—I am directed by the General Prisons Board to inform you that in compliance with a recommendation of the Royal Commission on Irish Prisons, with a view to prevent any prisoner being subjected to the restricted diet of bread and water for a longer period than three days, a short interval should be allowed to elapse between each term, in such cases where a repetition of this punishment is thought necessary.</p> <p>The punishment of bread and water to the full limit to which it may be inflicted should not in any case be immediately repeated without a special report from the Medical Officer in addition to the certificate called for by Circular No. 261, dated 15th August, 1883.</p> <p>I am, &c., RICHARD CRESSO, Chief Clerk.</p> <p>The Governor of each Prison.</p>
96	<p>"In England the Governor's power to order a prisoner three days' bread-and-water diet in his own cell has been recently restricted to twenty-four hours; this alteration should be followed in Ireland."</p> <p>"We think that the rule" (i.e., Rule 1 for Surgeons) "ought to be so altered as to leave no doubt that every prisoner under restraint or punishment . . . should be daily visited by the Medical Officer."</p>	<p>This statement as to the recent restriction of Governors' powers in England is contrary both to evidence given before the Royal Commission (by Dr. Gower), and to the actual facts, as recently ascertained from Captain Stopford, of the English Prisons Board.</p> <p>Rule amended accordingly, 15th March, 1885.—(Copy attached.)</p> <p>The Surgeon shall visit the prison once each day, and not later than 12 o'clock, noon, and oftener if necessary, and shall see every prisoner in the course of the week. He shall daily visit the prisoners if any confined in punishment cells, or under punishment in their own cells, or under mechanical restraint, and he shall visit daily, and oftener if necessary, each of the prisoners as are sick, and, when necessary, shall direct any prisoner to be removed to the infirmary.</p>

I—Recommendations principally affecting Local Prisons—continued.

Para.	Recommendation.	Action taken and Remarks.
97	<p>"We found that at Belfast certain prisoners were taken out of their cells to break stones . . . but . . . got no walking exercise, stone-breaking being considered as exercise."</p> <p>"We do not approve of such a practice." . . .</p> <p>"Under the 109th section of the Prisons Act, 7 Geo. IV., every prisoner is to receive exercise daily; and it is clear that this law should be carried out in respect of prisoners in punishment cells, as in the case of prisoners generally."</p>	<p>It will be seen from the section referred to—an extract from which is attached—that the words describing exercise are "to air themselves in the yard or yards."</p> <p>In those prisons, however, where the continuous labour of prisoners is stone-breaking, walking exercise is given for a portion of the exercise periods.</p>
99	<p>"We . . . think that some system should be devised for the instruction in classes of such prisoners as from their age, length of sentence, and conduct, are likely to receive benefit thereby."</p>	<p>(EXTRACT FROM ACT.)</p> <p>All prisoners shall have free access to the bath and mess-very, in their respective parts of the prison, at all reasonable hours; and shall also be admitted at proper times, in succession, to air themselves in the yard or yards, for at least two hours in every day, except prisoners under sentence of death, and such persons as shall be riotous or disorderly, or where there may be sufficient cause to apprehend that an escape may be attempted.</p> <p>A new system of secular instruction for local prisoners has been introduced (November, 1887)—see Instructions attached to this return—based on the system in force in English prisons, which, however, clearly lays down that prisoners, with one or two exceptions, are not to be instructed in classes but in cells.</p> <p>(See paragraphs IV. and VIII.)</p>
100	<p>"Arrangements for ensuring regularity and cleanliness should be everywhere apparent. . . . We lay much stress upon cleanliness."</p> <p>"We recommend the provision of pocket-handkerchiefs for prisoners."</p>	<p>Circular (No. 237) issued, 5th December, 1884. (Copy attached.)</p> <p>General Prisons Board, Dublin Castle, 5th December, 1884.</p> <p>Circular No. 237.—16,157.</p> <p>POCKET-HANDKERCHIEFS FOR PRISONERS.</p> <p>SIR,—The issue of pocket-handkerchiefs to prisoners having been approved of, I am directed by the General Prisons Board to instruct you to send up a requisition for the required number for use in the Prison under your charge.</p> <p>I am, &c., RICHARD CARRON, Chief Clerk.</p> <p>To the Governors and other Officers in charge of Prisons.</p>
101	<p>"We observed that sufficient precautions were not taken to remove from prisoners the means of committing suicide or doing mischief. In many prisons where there were no safety nettings, the gallery railings were not sufficiently high, and in many cells there were unnecessary hooks."</p> <p>"The gas lights, which were in most cases insufficiently protected, should be removed from the possibility of being tampered with by the prisoners."</p>	<p>The Board instructed their Architect accordingly—24th December, 1884—and further precautions against suicide have since been adopted.</p>
102	<p>"The English Act of 1865 provides that a prisoner whose sentence expires on a Sunday should be entitled to be discharged on the previous Saturday. . . . We think that the Irish Acts should be amended, to bring them into harmony with English legislation in this particular."</p>	<p>There has been no fresh legislation to admit of this; but the Board have issued a Circular on the subject, a copy of which is attached:—</p> <p>(No. 250—5th December, 1884.)</p> <p>General Prisons Board, Dublin Castle, 5th December, 1884.</p> <p>Circular No. 250.</p> <p>PRISONERS WHOSE SENTENCES EXPIRE ON SATURDAY AFTERNOON OR SUNDAY.</p> <p>SIR,—In the cases of prisoners whose sentences of imprisonment expire on Saturday afternoon or on Sunday, and who cannot, from the absence of public conveyance, reach their homes on the day of their legal discharge, the General Prisons Board authorize you to permit such prisoners to remain in the prison until the following Monday morning if they so desire.</p> <p>I am, &c., RICHARD CARRON, Chief Clerk.</p> <p>The Governors or other Officers in charge of Local Prisons.</p>

II.—RECOMMENDATIONS AFFECTING CONVICT PRISONS.

Part.	Recommendation.	Action taken and Remarks.
115	<p>"The Commissioners" (i.e. the Penal Servitude Commissioners appointed in 1878) "found that the Directors in Ireland had the power of ordering a prisoner to be put upon twenty-eight days continuous bread and water without any intermission of a better diet, and they recommended that the severity of this punishment should be relaxed in Ireland, as it was relaxed in England, by the interposition on every fourth of the twenty-eight days of a more liberal scale of diet. They recommended also the further limitation of the powers of the Irish Directors with respect to the imposition of irons on convicts. But no change appears to have been made in compliance with these recommendations. . . .</p> <p>"We think that these recommendations of the Commissioners ought at once to be carried out."</p>	<p>Though no alteration has since been made in the printed rules on these subjects, the General Prisons Board, as a matter of practice, do not exercise their full powers as to the infliction of bread and water punishment on convicts; farther, the Medical Officer can exempt a prisoner from bread and water at any time, on medical grounds.</p> <p>The use of irons on convicts is seldom resorted to now except in very bad cases. There has been no case whatever of chains having been used in Mountjoy Prison during the past six months, and only two cases where handcuffs were used during the same period.</p>
117	<p>"We would add that Maryborough Prison should have attached to it sufficient space to afford ample scope for the employment of invalids and imbecile convicts on such labour as would be suitable to their condition."</p> <p>"We recommend that the prison at Maryborough should be replaced upon precisely the same footing as the prison at Woking. If this were done, convicts who became insane after their conviction might be detained at Maryborough instead of being sent to Dundrum."</p>	<p>At present there is ample scope and space for the number confined at Maryborough.</p> <p>This recommendation could not be carried out without legislation, as at present it is contrary to law to retain lunatics in prisons; and the Prisons Board would be very much opposed to such retrogressive legislation.</p>
118	<p>"We cannot commend the practice of detaching very small parties of convicts to carry out building works in Local Prisons."</p>	<p>This practice, which was only a temporary one, has been discontinued, the last of such parties having been withdrawn from Cork Male Prison in May, 1888.</p>
119	<p>"We are of opinion that it is impossible to recommend the continuance of Lusk in its present condition."</p> <p>"The female refuge at Golden-bridge has been carried on with so great success that we see no reason why the same principle should not be applied in dealing with male convicts, such as hitherto have been sent to Lusk."</p>	<p>Lusk Prison was closed on the 31st December, 1888, and the intermediate class of convicts transferred to Maryborough.</p> <p>The Board consider it practically impossible to adopt the suggestion of the Commissioners of having a male institution similar to that at Golden-bridge for females.</p>
122	<p>"We attach quite as great importance to independent inspection in the case of convict prisons as we do in the case of local . . . prisons. We think that these visits ought to be frequent, and the inspection by the visitors searching and thorough, and we would suggest that the Lord Lieutenant should in future require from the visitors once in each year a full report in writing as to the condition and discipline of the prisons to which they are appointed."</p>	<p>Independent visitors for the different convict prisons are annually appointed by the Lord Lieutenant, and visit and report in due course.</p>
126	<p>"We feel that, in the case of convict as of local prisons, absolute necessity exists for the most careful examination on reception and the continued observation for some time afterwards of all prisoners, in order to discover any signs of incipient disease. In every case where there are unmistakable signs of disease, mental or bodily, such as would warrant transfer to an invalid prison, the convicts should be at once moved to Maryborough, so that the disease may be checked in its earlier stages."</p>	<p>Instructions were accordingly issued to the Medical Officer of Mountjoy Prison (4th December, 1884), and are acted on by him.</p>

II.—Recommendations affecting Convict Prisons—continued.

Para.	Recommendation.	Action taken and Remarks.
127	"The next serious point that we notice is the large number of long records of punishments inflicted on convicts who have eventually become insane. We feel convinced that many, if not all of these cases should have been dealt with in an invalid prison such as is now established at Maryborough, so that punishment might have been avoided, and medical treatment substituted."	The opinion here expressed by the Royal Commission was laid before the Medical Officer of Mountjoy Convict Prison, and his special attention called to it (6th Dec., 1884). But the Prisons Board cannot at all agree with the conclusion drawn by the Commissioners in the latter part of this paragraph, more especially as the principal case on which they founded their opinion has since altogether broken down, and the convict (W. M.) who led the Commissioners astray on this matter has confessed that he was malingering insanity all the time, and is at present a well-conducted prisoner in the intermediate class at Maryborough.
128	"It is clear to us that in the case of all female convicts the system of treatment in existence in English female convict prisons should be introduced in Ireland, and that some arrangements for dealing with invalid female convicts, similar to what are being made for males at Maryborough, must be carried out whenever it may be found most convenient and suitable to do so."	The Board are not aware what is the nature of the difference that is referred to as existing between the system of treatment of female convicts in English and in Irish prisons, the rules being practically the same, except that Irish convicts sent to refuges have the advantage of being sent there at an earlier period of their sentence than in England. The number of female convicts, which has been steadily decreasing for many years, is now only forty-five, which makes this recommendation quite inapplicable.
129	"There are peculiar circumstances existing in Ireland which lead us to consider it desirable to appoint such 'extern' medical officer, so long as large bodies of convicts are detained in a convict prison in the vicinity of a large town, where the best advice can be obtained at moderate cost from a person of good position, and in whom the public have confidence."	With a view of carrying out this suggestion, the Board have continued the practice of calling in external medical gentlemen of eminence in Dublin and the country in critical cases, and whenever it may seem desirable either to the Board or the Medical Officer of the prison to do so.
130	The Royal Commission repeat the recommendation of the Penal Servitude Commission of 1879, as to the marks and remission of convicts employed at light labour, &c., of which they "entirely approve."	The Board, having inquired as to the action taken in England on the recommendation of the P. S. Commission, issued similar instructions—1st July, 1884. (Copy attached.) 1884. 1 July, 1884. CIRCULAR MEMO. TO GOVERNORS OF CONVICT PRISONS. I am directed by the General Prisons Board to forward the accompanying printed instructions for your guidance in dealing with the marks of convicts in the light labour class. Signed, R. CLARK, Chief Clerk. MARKS OF CONVICTS EMPLOYED AS LIGHT LABOUR. Instructions for Guidance of Officers in Charge of Convict Prisons. With reference to Rule No. 10—Mark System for Male Convicts, and Rule 22nd for Female Convicts—which provide:— <i>Convicts in the Light Labour Class to be credited only with six or seven Marks (in the case of Females, four or five marks) according to their Character and Industry, unless especially otherwise ordered by the General Prisons Board.</i> The Governors and Superintendents of Convict Prisons shall submit monthly to the General Prisons Board a list of Convicts who would be due for discharge or license in the ensuing month, if they had not lost marks in consequence of being in the light labour class. In submitting such lists attention shall be drawn to any case in which, in the opinion of the Governor and Medical Officer, formed from personal observation, the convict has lost the marks from absolute inability, and not from unwillingness to perform hard labour. Any prisoner who is unable to perform hard labour on account of having lost a limb, or who is suffering under some other grave bodily infirmity, which, in the opinion of the Medical Officer, permanently unfit the prisoner for heavy labour, may be considered eligible for full marks without further reference. If the Medical Officer should give a special direction that any prisoner is not, for a specified period, to be employed on any but light labour such prisoner may be considered eligible to earn full marks, if conduct and industry shall be such as to justify it.

II.—Recommendations affecting Convict Prisons—continued.

Pers.	Recommendations.	Action taken and Remarks.
131	<p>"When a convict is charged with an offence he is sent to the penal cells, and is there kept on a reduced diet until his case is dealt with. It seems contrary to ordinary usage that the convict should be punished in any way before his trial takes place, and there seems no reason why he should not be kept on his proper diet until that time, as is, we understand, the case in England."</p>	<p>The Board consider that there is no hardship in withholding from prisoners who are relieved from labour, the diet ordered for those so employed, and in placing them on a diet sanctioned by the Dietary Committee, deemed on medical grounds, perfectly sufficient, and in no way punitive.</p>

3d March, 1859.

C. F. BOURKE, *Chairman*.

3027—86.

REGULATIONS FOR THE EDUCATIONAL INSTRUCTION OF PRISONERS
IN LOCAL PRISONS.

CLASSIFICATION ON RECEPTION.

I. All prisoners (except juveniles) whose sentences do not fall below three months will, on reception, be examined by the Chaplains of their own religious persuasions respectively, in concert with the Governor and Schoolmaster/Warden, and classified as under:—

CLASS I.—To include those who cannot read the "First Reading Book" of the Irish National School series.

CLASS II.—Those who can read the "First Reading Book," but have not reached the "Third Reading Book."

CLASS III.—Those who have reached the "Third Reading Book."

PRISONERS ELIGIBLE FOR INSTRUCTION.

II. All prisoners in Classes I. and II. whose age does not exceed forty-five years will receive instruction subject to the conditions set forth in the Classification Tables issued by the General Prisons Board. In special cases, to be dealt with by the Governor, prisoners above that age may receive instruction if recommended by the Chaplain.

Prisoners reported as having no capacity for learning, or as being idle, shall be excluded from instruction; the latter, however, only temporarily, the term to be specified on the Order.

The question of previous convictions proving a ground for exclusion, in the case of certain prisoners, should be left to the discretion of the Chaplain and Governor.

Prisoners in Class III. will not receive any instruction (except in writing and arithmetic, should they need it), but will be allowed the use of the authorized books, together with slate and pencil.

EXTENT OF INSTRUCTION.

III. The instruction of prisoners shall include Reading, Writing, and Arithmetic, within the following limits, namely:—

READING, as far as the "Third Reading Book," inclusive.

WRITING, as far as transcribing a portion of the book read, and reading what has been transcribed.

ARITHMETIC, as far as casting simple money accounts, and mental calculation of small money sums.

PRISONERS TO BE TAUGHT IN THEIR CELLS.

IV. The teaching will be cellular, except that prisoners in Class I. will be taught Reading collectively in a room or place provided for that purpose. In Writing and Arithmetic they will receive the same amount of cellular teaching as that given to the other prisoners in these subjects.

LIBRARY BOOKS.

V. No library books will be issued to prisoners until they can read the "Second Reading Book" with fluency.

READING CLASSES.

VI. The numbers collected as above should not exceed six when under the care of the Schoolmaster/Warden only; and should not exceed fifteen under other conditions.

NUMBER AND DURATION OF LESSONS.

VII. The cellular instruction of prisoners in Class II. shall not be less than two lessons weekly, of a quarter of an hour each, if possible, with an interval of two days at least.

The collective instruction shall consist of two lessons weekly of half an hour each (exclusive of the time occupied in assembling and removing the prisoners), with a like interval.

JUVENILES.

VIII. All juveniles under sixteen years of age shall have one hour's instruction daily in class, but prisoners who, by statute or rule, are ordered to be kept separate, shall not be brought together in class.

HOURS OF SCHOOLMASTER WARDENS.

IX. The Schoolmaster Wardens, when fully employed in that capacity, shall devote six hours daily to teaching, besides any time otherwise employed, between the hours of eight, A.M., and six, P.M., except on Saturdays, when they shall be so employed for three hours, between eight, A.M., and noon.

SCHOOL BOOKS.

X. The books to be used are the undersigned books of the Irish National School Series, viz.:—

Reading: Tablet Lessons (all the series): First, Second, Third, Fourth, and Fifth Books.

Writing: Vase Foster's Penny Copy Books, Nos. 1, 2, 3, 4, 5, 6, 7, and 8.

Arithmetic: First Book, and a few copies of O'Sullivan's "Principles of Arithmetic" and "Practice of Arithmetic," Parts I and II.

Note.—If the books now in use are good enough, they are not to be condemned at once, but are to be retained until worn out, or otherwise disposed of.

EXAMINATIONS BY CHAPLAINS.

XI. All prisoners receiving instruction shall be tested by actual examination by their respective Chaplains, on admission, and prior to their discharge; the results of each examination being recorded in the Educational Register by the Chaplains.

ASSISTANT MATRONS AS SCHOOLMISTRESSES.

XII. The term "Schoolmaster Warder" in the foregoing is to be understood as including Assistant Matrons who act as Schoolmistresses.

LETTER WRITING.

XIII. Prisoners in 2nd and 3rd Class, as set forth in "Explanatory Directions" of the Educational Register, to have no letters written for them, except in special cases, to be determined by the Governor.

Prisoners in 1st Class on reception to have not more than two letters written for them, except in special cases, to be determined by the Governor.

CHARLES F. BOURKE,

Chairman.

GENERAL PRISON BOARD,

DUBLIN CASTLE,

December, 1887.